

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TODD A. MARRA,

Defendant.

Case: 2:23-cr-20146  
Judge: Berg, Terrence G.  
MJ: Altman, Kimberly G.  
Filed: 03-07-2023  
IND USA V TODD MARRA (SS)

VIOLATIONS:  
Ct. 1: 18 U.S.C. § 371  
(Conspiracy)  
Cts. 2-4: 26 U.S.C. § 7206(1)  
(Making and Subscribing to False  
Returns)

**INDICTMENT**

The Grand Jury charges:

At all times pertinent, unless otherwise indicated:

**COUNT ONE**  
**18 U.S.C. § 371**  
**(Conspiracy)**

**I. INTRODUCTION**

1. Defendant TODD A. MARRA, a resident of Shelby Township, Michigan, in the Eastern District of Michigan, was employed by MilMar Financial, LLC (“MilMar”).

2. MilMar was organized as a partnership and engaged in the mortgage brokerage industry, with its principal place of business in Troy, Michigan. Defendant TODD A. MARRA and Individual A, not named as a defendant herein, were each 50% shareholders and co-managing partners of MilMar.

3. The Internal Revenue Service (“IRS”) was an agency within the United States Department of the Treasury responsible for administering and enforcing the tax laws and regulations of the United States regarding the ascertainment, computation, assessment, and collection of income taxes owed to the United States by its citizens and residents, from whatever source derived.

4. Between in or about 2012 and continuing through in or about 2018, defendant TODD A. MARRA and Individual A diverted over \$1.6 million from MilMar’s business bank accounts, and further used MilMar’s business receipts to pay for personal expenses, which they concealed on the tax returns they filed with the IRS.

## **II. STATUTORY ALLEGATIONS**

5. From in or about 2012, and continuing through in or about 2018, the exact dates being unknown to the Grand Jury, in the Eastern District of Michigan and elsewhere, defendant TODD A. MARRA and Individual A, together with others known and unknown, did unlawfully, voluntarily, intentionally, and knowingly conspire, combine, confederate, and agree together and with each other to defraud the

United States of America by impeding, impairing, obstructing, and defeating the lawful Government functions of the IRS in the ascertainment, computation, assessment, and collection of revenue: namely, federal individual income taxes.

**III. MANNER AND MEANS BY WHICH THE CONSPIRACY WAS CARRIED OUT**

6. Defendant TODD A. MARRA and his co-conspirator(s) individually and together sought to accomplish the objects of the conspiracy through the following manner and means, among others:

a. Concealing MilMar's gross receipts by depositing checks into MilMar's business bank account(s) that represented MilMar's gross receipts, withdrawing cash from the bank account(s) at the same time or shortly after making the deposits, and not recording all deposits and withdrawals in MilMar's books and records.

b. Paying personal expenditures and debts using MilMar's business bank accounts and revenues without reporting the distributions to their tax return preparer or the IRS.

c. Creating and maintaining false and fraudulent books and records for MilMar that did not accurately record the true gross receipts of MilMar.

d. Providing false, fraudulent, and incomplete books and records to their tax return preparer to aid in the preparation of their individual income tax returns and the partnership returns for MilMar. The books and records underreported

MilMar's true gross receipts and concealed funds that defendant TODD A. MARRA and Individual A had received from cash withdrawals and personal expenditures using business accounts. The co-conspirator(s) maintained an alternate set of financial records to track their cash withdrawals and personal expenditures using MilMar's business bank accounts and revenues and did not provide the same to their tax return preparer.

e. Causing the preparation and filing of false IRS Forms 1065, U.S. Return of Partnership Income, with the IRS which substantially underreported MilMar's gross receipts and overreported deductible business expenses.

f. Causing the preparation and filing of false IRS Forms 1040, U.S. Individual Income Tax Returns, with the IRS which substantially underreported the total income received by defendant TODD A. MARRA and Individual A.

#### **IV. OVERT ACTS**

7. In furtherance of the conspiracy, and to effect the objects thereof, the co-conspirators committed or caused to be committed, in the Eastern District of Michigan and elsewhere, the following overt acts:

a. Defendant TODD A. MARRA and his co-conspirator(s) caused the preparation of and authorized to be filed with the IRS false federal tax returns, namely IRS Forms 1065, U.S. Return of Partnership Income, on behalf of MilMar, which, among other things, falsely underreported the gross receipts or sales

received by MilMar and falsely overstated the deductible business expenses of MilMar, including, but not limited to:

- i. On or about May 6, 2013, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form 1065 for MilMar for tax year 2012, which listed gross receipts or sales of \$746,387, total deductions of \$392,541, and ordinary business income or loss of -\$6,868.
- ii. On or about May 5, 2014, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form 1065 for MilMar for tax year 2013, which listed gross receipts or sales of \$812,762, total deductions of \$817,072, and ordinary business income or loss of -\$4,310.
- iii. On or about May 11, 2015, Individual A caused to be electronically submitted to and filed with the IRS a false Form 1065 for MilMar for tax year 2014, which listed gross receipts or sales of \$577,730, total deductions of \$300,921, and ordinary business income or loss of \$37,726.
- iv. On or about May 30, 2016, Individual A caused to be electronically submitted to and filed with the IRS a false Form 1065 for MilMar for tax year 2015, which listed gross receipts or

sales of \$618,828, total deductions of \$330,848, and ordinary business income or loss of -\$2,825.

v. On or about October 9, 2017, Individual A caused to be electronically submitted to and filed with the IRS a false Form 1065 for MilMar for tax year 2016, which listed gross receipts or sales of \$703,732, total deductions of \$357,732, and ordinary business income or loss of \$30,255.

vi. On or about July 2, 2018, Individual A caused to be electronically submitted to and filed with the IRS a false Form 1065 for MilMar for tax year 2017, which listed gross receipts or sales of \$453,460, total deductions of \$309,748, and ordinary business income or loss of -\$438.

b. Defendant TODD A. MARRA and his co-conspirator(s) caused the preparation of and authorized to be filed with the IRS false federal income tax returns, namely IRS Forms 1040, U.S. Individual Income Tax Returns, which falsely reported, among other things, the total income received by the co-conspirators from MilMar, including, but not limited to:

i. On May 6, 2013, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2012, which listed total income of \$84,143.

- ii. On May 5, 2014, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2013, which listed total income of \$76,347.
- iii. On May 11, 2015, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2014, which listed total income of \$67,734.
- iv. On May 9, 2016, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2015, which listed total income of \$57,627.
- v. On May 9, 2016, Individual A caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2015, which listed total income of \$60,178.
- vi. On May 8, 2017, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2016, which listed total income of \$99,352.
- vii. On May 8, 2017, Individual A caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2016, which listed total income of \$96,991.
- viii. On April 9, 2018, defendant TODD A. MARRA caused to be electronically submitted to and filed with the IRS a false Form

1040 for tax year 2017, which listed total income of \$52,391.

- ix. On April 9, 2018, Individual A caused to be electronically submitted to and filed with the IRS a false Form 1040 for tax year 2017, which listed total income of \$38,927.

c. Defendant TODD A. MARRA and his co-conspirator(s) caused the deposit of gross receipts and the subsequent withdrawal of cash from MilMar's business bank account(s) and did not record the same on MilMar's books and records, including, but not limited to:

- i. On December 22, 2014, defendant TODD A. MARRA made and caused to be made a deposit of \$5,200 into a MilMar bank account ending in X5411, and on December 22, 2014, defendant MARRA made and caused to be made a cash withdrawal of \$5,200 from the same bank account.
- ii. On May 12, 2015, defendant TODD A. MARRA made and caused to be made a deposit of \$6,000 into a MilMar bank account ending in X6303, and on May 15, 2015, defendant MARRA made and caused to be made a cash withdrawal of \$6,000 from the same bank account.
- iii. On June 29, 2015, defendant TODD A. MARRA made and caused to be made a deposit of \$7,159.38 into a MilMar bank



account ending in X6303, and on July 3, 2015, defendant MARRA made and caused to be made a cash withdrawal of \$7,159.38 from the same bank account.

iv. On June 3, 2016, defendant TODD A. MARRA made and caused to be made a deposit of \$8,734.20 into a MilMar bank account ending in X6303, and on June 3, 2016, defendant MARRA made and caused to be made a cash withdrawal of \$8,734.20 from the same bank account.

v. On December 7, 2017, defendant TODD A. MARRA made and caused to be made a deposit of \$8,260 into a MilMar bank account ending in X6303, and on December 8, 2017, defendant MARRA made and caused to be made a cash withdrawal of \$8,260 from the same bank account.

d. Defendant TODD A. MARRA and his co-conspirator(s) caused the creation of financial statements and records that did not include the true gross receipts of MilMar, and further caused the same to be submitted to the tax return preparer, including:

i. MilMar Profit & Loss statement from January through December 2015 describing Total Income as \$618,828.21 and Total

Expense(s) as \$692,601.68, dated March 14, 2016.

**All in violation of Title 18, United States Code, Section 371.**

**COUNT TWO**  
**26 U.S.C. § 7206(1)**  
**(Making and Subscribing to a False Return)**

8. The allegations contained in paragraphs one through four and six through seven are realleged and incorporated as if fully set forth in this paragraph.

9. On or about May 9, 2016, in the Eastern District of Michigan and elsewhere, defendant TODD A. MARRA willfully made and subscribed a false U.S. Individual Income Tax Return, Form 1040, for calendar year 2015, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the IRS, and which MARRA did not believe to be true and correct as to every material matter, in that the return reported on line 17 income or loss from partnerships of -\$1,412 and on line 22 total income of \$57,627, whereas, as MARRA knew, his income from partnerships and total income were greater than the reported amounts.

**All in violation of Title 26, United States Code, Section 7206(1).**

**COUNT THREE**  
**26 U.S.C. § 7206(1)**  
**(Making and Subscribing to a False Return)**

10. The allegations contained in paragraphs one through four and six through seven are realleged and incorporated as if fully set forth in this paragraph.

11. On or about May 8, 2017, in the Eastern District of Michigan and elsewhere, defendant TODD A. MARRA willfully made and subscribed a false U.S. Individual Income Tax Return, Form 1040, for the calendar year 2016, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the IRS, and which MARRA did not believe to be true and correct as to every material matter, in that the return reported on line 17 income or loss from partnerships of \$15,127 and on line 22 total income of \$99,352, whereas, as MARRA knew, his income from partnerships and total income were greater than the reported amounts.

**All in violation of Title 26, United States Code, Section 7206(1).**

**COUNT FOUR**  
**26 U.S.C. § 7206(1)**  
**(Making and Subscribing to a False Return)**

12. The allegations contained in paragraphs one through four and six through seven are realleged and incorporated as if fully set forth in this paragraph.

13. On or about April 9, 2018, in the Eastern District of Michigan and elsewhere, defendant TODD A. MARRA willfully made and subscribed a false U.S. Individual Income Tax Return, Form 1040, for the calendar year 2017, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the IRS, and which MARRA did not believe to be true and correct as to every material matter, in that the return reported on line 17 income or loss from partnerships of -\$219 and on line 22 total income of \$52,391, whereas, as MARRA knew, his income from partnerships and total income were greater than the reported amounts.

**All in violation of Title 26, United States Code, Section 7206(1).**

Date: 03/07/2023

A TRUE BILL

/s/Grand Jury Foreperson  
GRAND JURY FOREPERSON

DAVID A. HUBBERT  
Deputy Assistant Attorney General  
U.S. Department of Justice, Tax Division

/s/Jorge Almonte  
JORGE ALMONTE  
Assistant Chief, Northern Criminal Enforcement Section

/s/Catriona M. Coppler  
CATRIONA M. COPPLER  
Trial Attorney, Northern Criminal Enforcement Section

**Companion Case information MUST be completed by AUS<sup>A</sup> and initialed.**United States District Court  
Eastern District of Michigan**Criminal Case Cover**Case: 2:23-cr-20146  
Judge: Berg, Terrence G.  
MJ: Altman, Kimberly G.  
Filed: 03-07-2023  
IND USA V TODD MARRA (SS)

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete

<b>Companion Case Information</b>	Companion Case Number: 2:22-CR-20138-NGE
This may be a companion case based upon LCrR 57.10 (b)(4) <sup>1</sup> :	Judge Assigned:
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	AUSA's Initials: JA

Case Title: USA v. Todd A. MarraCounty where offense occurred : Oakland CountyCheck One:      ☒ Felony      ☐ Misdemeanor      ☐ Petty

☒ Indictment/ ☐ Information --- no prior complaint.

☐ Indictment/ ☐ Information --- based upon prior complaint [Case number: \_\_\_\_\_]

☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

**Superseding Case Information**

Superseding to Case No: \_\_\_\_\_ Judge: \_\_\_\_\_

- ☐ Original case was terminated; no additional charges or defendants.
- ☐ Corrects errors; no additional charges or defendants.
- ☐ Involves, for plea purposes, different charges or adds counts.
- ☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant nameChargesPrior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

03/07/2023

Date

/s/Jorge Almonte

Jorge Almonte  
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<sup>1</sup> Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.